PATENT COOPERATION TREATY

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

										
Applicant's or agent's file reference 2004-0104 P				FOR FURTHER A	CTION	See Form PCT/IPEA/416				
International application No.				International filing da	te (day/month/year)	Priority date (day/month/year)				
PCT/EP2004/012937				15.11.200	4	23.01.2004				
Internation	nal Pate	ent Classific	eation (IPC) or nation	onal classification and	IPC					
G03G15/16										
Applican	ı		118							
OCE	PRI	NTING	SYSTEMS	GMBH		·				
1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.									
2.	This REPORT consists of a total of sheets, including this cover sheet.									
3.	This re	port is also	accompanied by Al	NNEXES, comprising:						
		sent to	the applicant and	to the International Bu	reau) a total of 9	sheets, as follows:				
						amended and are the basis for this report and/or				
•	sheets of the description, claims authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).									
	sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.									
	ь. 🗀	sent to	the International l	Bureau only) a total of	(indicate type and numbe	er of electronic carrier(s))				
						, containing a sequence listing and/or tables				
					s indicated in the Supple	emental Box Relating to Sequence Listing (see				
	Section 802 of the Administrative Instructions).									
4.	This re	port contair	s indications relations	ng to the following iter	ns:	•				
	\boxtimes	Box No. I	Basis of the	report						
		Box No. II	Priority							
		Box No. II	I Non-establi:	shment of opinion with	regard to novelty, invent	tive step and industrial applicability				
		Box No. I	V Lack of unit	ly of invention						
	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement									
		Box No. V	I Certain doc	uments cited						
	Box No. VII Certain defects in the international application									
	\boxtimes	Box No. V	III Certain obse	ervations on the interna	ational application	·				
Date of a	uhmiesi	on of the de	mand		Date of completion of th	is report				
Date of S		on or use ue	U		Date of completion of the					
Name and mailing address of the IPEA/EP					Authorized officer	· · ·				
Facsimile No.					Telephone No.	200,				

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012937

Box	x No. I	Basis of the report						
1.		regard to the language, this report is based on the internation ted under this item.	onal application in the language in	which it	was filed, unless otherwise			
	This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:							
	Ĺ	international search (Rule 12.3 and 23.1(b))						
	اِ	publication of the international application (Rule 12.4	,	•				
	L	international preliminary examination (Rule 55.2 and	/or 55.3)					
2.	receiv	regard to the elements of the international application, this ing Office in response to an invitation under Article 14 ar sport):	report is based on (replacement : re referred to in this report as "o	sheets wh riginally	ich have been furnished to the filed" and are not annexed to			
	$\overline{\square}$	the international application as originally filed/furnished			•			
l		the description:						
	• 1	pages 1-3,7-17,19		23.11	as originally filed/furnished .2005 with letter			
	1	pages* 4,4a	received by this Authority on		.11.2005 .2006 with letter			
	1	pages* 5,6,18	received by this Authority on		.04.2006			
	\boxtimes	the claims:						
	1	nos.			as originally filed/furnished			
		nos.*	as amended (togethe	r with an	y statement) under Article 19			
		nos.* 1–15	received by this Authority on	18.04	.2006 with letter			
			received by this Authority on	<u> </u>	.04.000			
		nos.*	_ received by this Authority on					
		the drawings:						
		sheets 1/10-10/10	·		as originally filed/furnished			
		sheets*	received by this Authority on					
		sheets*	received by this Authority on		· · · · · · · · · · · · · · · · · · ·			
		a sequence listing and/or any related table(s) - see Supplen	nental Box Relating to Sequence I	isting.				
3.	\Box	The amendments have resulted in the cancellation of:						
]								
	ľ	- 7						
	ſ	the claims, nos.						
	L	the drawings, sheets/figs	•	-				
	l l	the sequence listing (specify):			 			
	Į	any table(s) related to sequence listing (specify):						
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as f	dments annexed to this report and iled, as indicated in the Suppleme	listed bontal Box (clow had not been made, since Rule 70.2(c)).			
	Į	the description, pages						
	[the claims, nos.						
	[the drawings, sheets/figs	·					
	ſ	–						
	Ī	any table(s) related to sequence listing (specify):						
.	* If item 4 applies, some or all of those sheets may be marked "superseded."							
					· · ·			

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012937

Bo		Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
1.	Statement						
	Novelty (N)	Claims	3-8, 12-15	YES			
		Claims	1, 2, 9-11	NO			
	Inventive step (IS)	Claims		YES			
		Claims	1-15	NO			
	. Industrial applicability (IA)	. Claims	1-15	YES			
		Claims		NO.			
				•			

- 2. Citations and explanations (Rule 70.7)
 - 1 Independent claim 1

The subject matter of claim 1 is known from D1 (JP-A-2000 315020). D1 discloses a continuous intermediate image carrier consisting of an upper, outer layer 22 that has a high resistance value, i.e. lower conductivity, and at least one lower layer 21 that has a lower resistance value, i.e. higher conductivity.

The combination of at least two layers of isotropically conductive materials having different levels of conductivity appears to create a conductivity anisotropy in which the conductivity between two laterally offset measurement points on the upper and lower sides of the carrier is higher than the conductivity between two opposite measurement points on the upper and lower sides. Such conductivity properties can also be created alternatively by the use of anisotropic layer materials per se (see, for example, layer 30 of the intermediate carrier disclosed in D3 (JP-A-11 0783036)).

PCT/EP2004/012937

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; Box No. V citations and explanations supporting such statement

> Claim 1 includes the use of two or more layers of isotropically conductive materials having different levels of conductivity (see also an embodiment described on page 18, lines 8-12, which does not appear to differ from the intermediate carrier of D1). Thus D1 discloses the subject matter of claim 1. PCT Article 33(2) and (3) is contravened.

2 Dependent claims 2 to 15

The subject matter of several claims is already known from D1 or is part of the normal technical knowledge of a person skilled in the art.

- The subject matter of claims 2 and 9 to 11 is known, for example, from figure 1 of D1. PCT Article 33(2) is contravened.
- The features defined in claims 3 to 8 and 12 to 15 relating to the electrical conductivity, i.e. ensuring an effective electrical field for the transmission of the toner image and preventing the intermediate carrier from being damaged by spark discharges, can be regarded as part of the disclosure of D1. Although these features are not explicitly mentioned in D1, they are obvious to a person skilled in the art from the content (PCT Article 33(3)).
- The subject matter of claims 1 to 15 is 3 industrially applicable (PCT Article 33(4)).

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/012937

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Dependent claims 3 to 6 and 14 define the electrical conductivity of the intermediate carrier by means of unclear expressions such as "at least so high, low, sufficiently" in order to achieve the desired effect, for example, to make the transfer process effective and/or to prevent electrical flashovers, without providing a technical feature, for example, a value therefor (PCT Article 6).

Form PCT/IPEA/409 (Box VIII) (January 2004)